

D. REMARKS

Reconsideration of this application is respectfully requested.

At the time of the Office Action (Paper No. 4), claims 1-11 were pending. Claims 5-11 have been cancelled without prejudice or disclaimer. Claims 1-4 have been amended to further clarify the invention therein. No claims have been allowed.

In the Office Action, the following matters were raised or actions taken:

(1) Rejection of claims 2-4 under 35 U.S.C. §112, second paragraph

RESPONSE:

Claims 2-4 have been amended to correct the informalities and indefinite statements.

(2) Rejection of claim 1 under 35 U.S.C. §102(b) - anticipation by Sloan et al.

RESPONSE:

Claim 1, as amended, defines a slurry processing system for pumping contaminated slurry via a delivery pipeline from a slurry processing unit to a treatment facility for decontamination. Process treatment water produced during treatment is recovered and conveyed to the slurry processing unit by a return pipeline in a closed loop arrangement allowing the process treatment water to be used and recycled for use as make-up water for diluting contaminated sludge and for specific gravity adjustments in the sludge processing unit without releasing process treatment water or slurry

*not claimed*

into the body of water while the contaminated sludge is being processed.

That combination is not disclosed by Sloan et al. Sloan et al. show an open loop arrangement in which a submerged hydraulic dredge pumps a mixture of solids and water to a collection area. The polluted conveying water is returned and discharged as a cutting jet back into the body of water at the head of the nozzle. Thus Sloan et al. teach away from the present invention in which process treatment water from a treatment facility is carefully contained in the return pipeline and also within the sludge processing unit where it is used for sludge dilution and for specific gravity control of the slurry mixture. No portion of the process treatment water or slurry is released into the waterway.

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Claim

Contamination carried in Sloan's conveying water is continuously reintroduced as an aqueous slurry back into the body of water, thus spreading the pollution. This is prevented by Applicant's closed loop recycling system which also reduces the amount of clear make-up water needed by more than 50%. This has resulted in a substantial reduction in the overall cost of remediation by reducing the amount of treatment water that must be cleaned prior to its release from the contaminated dredging operation. In contrast, according to Sloan's arrangement, no such precautions are taken, and particles of contaminated sludge are continuously reintroduced back into the body of water. Moreover, the chemical treatment reagents carried in the process treatment water are recycled by Applicant's closed loop system back to the treatment facility, thus further reducing remediation and disposal costs.

For these reasons, Sloan et al. fail to anticipate the subject matter of

claim 1, as amended, within the meaning of 35 U.S.C. §102(b).

(2) Rejection of claims 1- 4 under 35 U.S.C. §103(a) in view of Taylor '635 and Japan '629

RESPONSE:

Claims 2 , 3 and 4, as amended, are directed to a comparable closed loop system as recited in claim 1.

Note that Taylor '634 does not disclose recycling of any kind.

The dredging system disclosed in Japan '629 is essentially the same as disclosed by Sloan et al. According to Japan '629, as a submerged screw conveyor 31 cuts and churns sludge, sludge particles are collected in a sludge collection box 6 and then are conveyed in an aqueous mixture of turbid water through a suction pipe 8 to a surface separator 10. The turbid water is collected in a sediment tank 38 and storage tank 39. The turbid water is returned through a return pipe 12 to the sludge collection box where it is discharged back into the body of water.

Note in Fig. 5 that the open front of the collection box 6 is submerged in the body of water and is open to receive sludge particles. Note also that the return pipe discharges the turbid water into the front opening, so that the turbid water mixes immediately with water that is being circulated from the surrounding body of water through the collector box. Contamination carried in the turbid water is continuously reintroduced as an aqueous slurry back into the body of water, thus spreading the pollution.

This teaches away from Applicant's closed loop arrangement in which

process treatment water from a treatment facility is carefully contained in the return pipeline and also within the sludge processing unit where it is used for sludge dilution and for specific gravity control of the slurry mixture. In Applicant's arrangement, no portion of the process treatment water or slurry is released into the waterway.

For these reasons, Taylor '634 cannot be combined with Japan '629 to suggest the subject matter of claims 1- 4, as amended, within the meaning of 35 U.S.C. §103(a).

No Fee Amendment

Upon entry of this amendment, the total number of claims has been reduced, and no additional claims have been added. Consequently, no additional fee is payable in connection with this amendment.

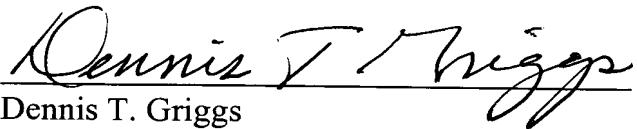
CONCLUSION

This application is believed to be in condition for allowance in light of the amendments and remarks set forth above. Applicant respectfully requests reconsideration and allowance of claims 1-4, as amended. A Notice of Allowance is requested.

If there are any matters remaining that may be cleared up by telephone,  
please call Applicant's attorney at (972) 447-4569.

Respectfully submitted,

Date: February 26, 2003

  
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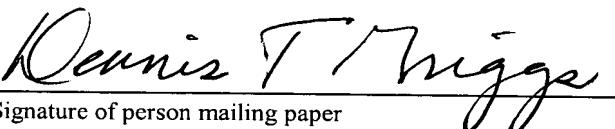
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AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION

(along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Dennis T. Griggs  
Typed name of person mailing paper

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